

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
vs.
MATTHEW DAVID KEIRANS,
Defendant.

No. 23-CR-1020 CJW-MAR

**ORDER SETTING SENTENCING
HEARING AND
ESTABLISHING DEADLINES¹**

The Court is in receipt of the Final Presentence Investigation Report for the above-named defendant. The sentencing hearing is scheduled before the undersigned for **Friday, October 25, 2024, at 9:00 a.m.**; United States Courthouse, **Courtroom 2**, 111 Seventh Avenue SE, Cedar Rapids, Iowa. The amount of time allotted for the sentencing hearing is based on the estimated duration provided by United States Probation in the Addendum to the Final Presentence Report. **If either party believes additional time will be necessary, that party must notify my chambers immediately via email, (Sali_vanweelden@iand.uscourts.gov) with a copy to the opposing party.**

IT IS ORDERED:

1. If there are no sentencing issues, the parties must provide via email to chambers a joint notice to the Court and are not required to file any sentencing related brief or memorandum.
2. If there are sentencing issues, the parties must meet and confer regarding the contested issues at least twenty-one (21) calendar days before the sentencing

¹ Paragraph 3f adds additional deadlines specific to this defendant's sentencing.

hearing. If the parties resolve contested issues in the meet and confer conference, the parties must provide via email to chambers a joint notice to the Court and are not required to file any sentencing related brief or memorandum.

3. If the sentencing issues are not resolved, the parties must file a sentencing memorandum at least seven (7) calendar days before the sentencing hearing. Sentencing memoranda must contain the following:
 - a. A list of all witnesses the party expects to call to testify at the sentencing hearing.
 - b. A list of all exhibits the party expects to offer at the sentencing hearing. Copies of any exhibits must be filed as electronic attachments to the party's sentencing memorandum or motion. If the exhibits comprise more than 40 pages, the party must provide the Court with a hard copy of the exhibits in a three-ring binder.
 - c. A list of all sentencing issues the party will ask the Court to decide, supported by citation to all statutes, case law and guideline sections relied on in support of the party's position.
 - d. Legal authority to support each argument as to each contested guideline calculation. If the parties agree as to the Total Offense Level but disagree about how the Total Offense Level was calculated, each party's sentencing memorandum must still set forth the differing positions and legal authorities.
 - e. An itemized and annotated statement (with any supporting documentation) explaining how the party arrived at the calculation of any contested restitution figures.

- f. The parties are **directed** to brief their positions on defendant's ability to pay a fine and the cost of attorney representation. Defense counsel is also **directed** to provide the Court with documentation on the cost of representation of defendant as an exhibit attached to defendant's brief. The parties' briefs may be filed under seal without additional leave of Court.
 - g. Any response to a sentencing motion, memorandum or brief must be filed at least three (3) days before the sentencing hearing. If the party filing the response believes that additional witnesses or exhibits are necessary to support the response, that party must disclose those witnesses and exhibits to the opposing party with a copy of the witness list emailed to the Court. Copies of the additional exhibits shall be filed as electronic attachments to the response.
4. If a party expects to offer the testimony of in-custody witnesses, the party must provide notice to the United States Marshal at least fourteen (14) calendar days before the sentencing hearing.
5. If a party wants the United States Marshal to serve subpoenas on witnesses, the party must deliver those subpoenas to the United States Marshal at least twenty-one (21) calendar days before the sentencing hearing.
6. If a party does not file its sentencing memorandum in a timely manner or if the sentencing memorandum fails to cite legal authority to support the party's positions, the Court will deem that party has waived any issues the party previously raised in the party's objections to the presentence report.
7. The Court will accept and consider letters in support of defendant only if they are electronically filed as exhibits pursuant to Administrative Order No. 17-AO-005-

P. The Court will not consider letters sent directly to chambers via email or otherwise.

IT IS SO ORDERED this 8th day of August, 2024.



C.J. Williams, Chief Judge
United States District Court
Northern District of Iowa